

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION

IN RE: MCI CORPORATION WAIVER REQUEST	:	
FOR NUMBER BLOCK RELEASE – TEKNOR	:	DOCKET NO. 3667
APEX COMPANY	:	

REPORT AND ORDER

On March 3, 2005, MCI Corporation (“MCI”) filed a request with the Public Utilities Commission (“Commission”) for a waiver from the denial by the North American Number Pooling Administrator (“NANPA”) of MCI’s request to release s certain block of numbers for MCI’s customer, TEKNOR APEX Company (“Customer”). Specifically, MCI had requested a thousand block in the Pawtucket rate center’s 401-NXX.¹

Because MCI’s utilization rate (the percentage of numbers within the blocks currently assigned to MCI that are in service) is approximately sixty-three percent (63.389%), which is below Rhode Island’s required 75% utilization rate, MCI’s request for another block was denied. In other words, MCI is not allowed, unless granted a waiver by the Commission, to obtain new blocks of numbers unless at least 75% of the numbers assigned to it are in use. The purpose of this rule is to preserve Rhode Island’s available telephone numbers, thus preserving the 401 area code (or “NPA”).

According to an attachment to MCI’s filing, the Customer is ready, willing and able to utilize 90% of the numbers as soon as they are made available to MCI. The Customer, a business in Pawtucket, Rhode Island, is in the process of implementing a national dialing plan and needs 900 consecutive numbers ranging from 401-NXX-x100

¹ Within the NPA-NXX, MCI has been assigned the thousands block 401-642-3xxx, but had made donations back to the pool.

through 401-NXX-x999. Furthermore, MCI will put 900 of the 1,000 requested numbers into service immediately.

The Commission has previously adopted minimum standards that must be met in order for the Commission to consider a request for a waiver. A carrier must have a utilization rate over 50% and must have a customer ready, willing and able to utilize at least 60% of the numbers within the requested blocks either immediately, or in the very near future. This in no way is meant to suggest that the Commission will automatically approve every request that meets these minimum standards. The Commission must review each request on a case by case basis for reasonableness and to keep some control on the release of blocks. For example, if a carrier files a petition seeking 10 thousands blocks and will only put 6,000 numbers in place, leaving 4,000 numbers not in use, the Commission may very well find that it is unreasonable to have the equivalent of four blocks not in use when a carrier's utilization rate is below 75%. Furthermore, the Commission indicated that if it were to find that its ruling results in an influx of waiver requests, the Commission has reserved its right to tighten the minimum standards in order to protect the NPA. Since the Commission adopted its minimum standards in November 2003, sixteen months ago, this has only been the third request for a waiver

In this case, MCI because has a utilization rate in excess of 50% and has a customer ready, willing and able to immediately accept 90% of the block, which is clearly in excess of the 60% threshold, MCI's application has satisfied the minimum standards and the Commission approves MCI's request for a waiver from the denial of the release of the requested thousands block in question.

Accordingly, it is

(18193) ORDERED:

1. That MCI's request for a waiver from the denial of the release of the requested thousand blocks in question is granted.

EFFECTIVE AT WARWICK, RHODE ISLAND ON MARCH 24, 2005
PURSUANT TO AN OPEN MEETING DECISION. WRITTEN ORDER ISSUED ON
MARCH 30, 2005.

PUBLIC UTILITIES COMMISSION

Elia Germani, Chairman

Robert B. Holbrook, Commissioner